



California Regional Water Quality Control Board

Lahontan Region



Winston H. Hickox
*Secretary for
Environmental
Protection*

2501 Lake Tahoe Boulevard, South Lake Tahoe, California 96150
Phone (530) 542-5400 • FAX (530) 544-2271
Internet: <http://www.swrcb.ca.gov/rwqcb6>

Gray Davis
Governor

MINUTES

June 12-13, 2002

Regular Meeting

Lahontan Regional Water Quality Control Board
City of Bishop, Council Chambers
377 W. Line Street
Bishop, CA

Jack Clarke, Chair, called the meeting to order at 4:00 p.m. on June 12, 2002.

BOARD MEMBERS PRESENT

John Brissenden, Hope Valley
Beatrice Cooley, Ph.D., Bishop
Eugene B. Nebeker, Ph.D., Lancaster
Eric Sandel, P.E. Truckee
Claudette Roberts, Palmdale
William Betterley, Hesperia
Jack Clarke, Apple Valley

BOARD MEMBERS ABSENT

None

LEGAL COUNSEL

Steven H. Blum, State Water Resources Control Board

STAFF PRESENT

Harold J. Singer, Executive Officer
Robert S. Dodds, Assistant Executive Officer
Hisam Baqai, Supervising WRCE, Southern Lahontan Watershed Division
Lauri Kemper, Supervising WRCE, Northern Lahontan Watershed Division
Cindi Mitton, Senior WRCE, Mono/Owens Watershed
Tim Post, Senior Engineering Geologist, Antelope Valley Unit
Jehiel Cass, WRCE
Pamela Walker, Administrative Officer
Marietta Christoffersen, Office Technician

ADDRESSING THE BOARD

Benno Nager, Intrawest
Bill Taylor, Town of Mammoth Lakes
Alex Hackman, Town of Mammoth Lakes

OTHER BUSINESS

1. Executive Officer's Report

Mr. Singer highlighted several items from the written report:

- Item No. 1 - Update on Aquatic Pesticides General NPDES Permit and Eurasian watermilfoil control in Tahoe Keys
- Item No. 12 - Pacific Gas and Electric Company, Hinkley site
- Item No. 3 - Lauri Kemper, Supervising WRCE, Northern Lahontan Watershed Division discussed details of a public meeting held by the Spalding Community Service District regarding septic systems at Eagle Lake.

Other issues:

- Tahoe City PUD was issued a waiver from the Basin Plan prohibition to build a portion of the bike trail. Local agencies expressed their frustrations over the permitting process to Senator Oller. Jack Clarke, Chair, may send Senator Oller a letter inviting him to meet and discuss the specifics of the frustration expressed.
- Waiver Policy-State Board is sponsoring a workshop July 17 with five regional board Chairs making presentations concerning the direction boards are taking in the area of timber. Region 1 is taking the lead in developing a strategy and documents to address the issue. The goal is for the California Department of Forestry (CDF) to increase their vigilance in reviewing timber harvest operations, injecting comments that protect water quality and enforcing them, thereby providing a basis for issuing a waiver. Two staff workshops will be scheduled before the Board takes any action.
- The July Board meeting will be held the 24th and 25th in South Lake Tahoe where the two big issues are the Indian Creek Reservoir TMDL and further discussion of the effects Searles Lake is having on birds. A tour of Leviathan Mine will be scheduled.
- Although there is a hiring freeze, Region 6 received a freeze exemption to fill the Unit Chief vacancy in the TMDL Unit, however it was subsequently rescinded.
- A listing of MOUs and MAAs the Regional Board has with other agencies was distributed. Also included were some MOUs and MAAs the State Board has with agencies that contain policy direction. Regarding septic system MOUs, the Board relies on the counties to enforce minimally, standards found in the Basin plan. Since the Board will shortly consider amending/continuing the waiver, a review of a few counties history of implementing the MOU is in order.
- The Regional Board plans to work cooperatively with the ski industry statewide in preparing an erosion control guidance manual. The process will take approximately two years.

- The Forest Service supervisor of the Lake Tahoe Basin Management Unit and her deputy feel that the MAA between them and the Board is hindering implementation of five environmental improvement projects. The Board plans to work with the Forest Service to get through the processes involved.

The afternoon meeting adjourned at 5:00 p.m.

Regular Meeting, Continued
7:00 p.m. June 12, 2002

Jack Clarke called the meeting to order at 7:030 p.m. Board members present: John Brissenden, Beatrice Cooley, Ph.D., Eugene Nebeker Ph.D., Eric Sandel P.E., Claudette Roberts, William Betterley. Board Members absent: none.

2. PUBLIC FORUM

No one addressed the Board during the public forum.

3. ADOPTION OF THE UNCONTESTED CALENDAR

Item 7 was removed from the agenda.
Items 6 and 9 were amended.
Item 10 was removed from the agenda.
Item 16 will be considered separately.

- ◆ **Motion:** Moved by William Betterley, seconded by Eric Sandel and **unanimously carried** to adopt Items 5, 8, 11, 12, 13, 14, 15 and 18 and Items 6 and 9 as amended.

Mr. Brissenden abstained from voting on Item 14.

ENFORCEMENT ACTIONS

16. Rescission of Cease and Desist Order No. 6-93-46 for Los Angeles County Sanitation District No. 14, Lancaster Water Reclamation Plant, Trunk "F" Wastewater Conveyance System, Los Angeles County

Dr. Nebeker abstained from voting.

- ◆ **Motion:** Moved by Eric Sandel, seconded by William Betterley. **Roll call vote:** Voting "yes": Dr. Cooley, Mr. Betterley, Mr. Sandel, Mr. Clarke, Mr. Brissenden, Ms. Roberts. Voting "no": none

OTHER BUSINESS

17. Status of Actions under the Memorandum of Understanding (MOU) with the Town of Mammoth Lakes

Cindi Mitton, Senior WRCE, gave the presentation. The purposes of the MOU are to streamline permitting while providing compliance with the Regional Board's Basin Plan regarding erosion control at construction sites less than five acres in size within the Town. Ms. Mitten reported that Board and Town staff sponsored a workshop attended by 70 persons, including contractors and developers that informed them of Regional Board requirements and how to comply, as well as the kinds of erosion control measures available. Additionally, coordinated inspection efforts between Board and Town staff have resulted in improved erosion control measures at construction sites.

Regional Board staff will continue with follow-up field inspections and plan review through this construction season. Prior to the end of the construction season, another training workshop on "winterization" will be conducted. A staff report providing the results of summer construction will be completed in the fall. The recommendation was made that the MOU continue as it is, with staff oversight.

Bill Taylor, Senior Planner, representing Steve Black, Public Works Director, Town of Mammoth, endorses and supports the staff recommendation. He expressed appreciation for staff's input over the last year and the resulting improvements in the understanding of the construction community.

Alex Hackman, Code Compliance Officer, Town of Mammoth, reported widespread compliance at the majority of construction sites, quite a reversal of the situation of eleven months ago where almost no best management practices were implemented. The ties between the regulated community and the regulators have been strengthened through education and outreach. He also expressed appreciation on the good relationship between the Town of Mammoth and Board staff. He asked for a continuation of the MOU and expressed concurrence with Board staff's conclusions.

Benno Nager, Intrawest, addressed the Board from a developer's standpoint, and pointed out one result of the training workshop; standard practice is for construction budgets to include monies for implementing best management practices. He expressed his interest in attending future training workshops.

All Regional Board members agreed with the staff recommendation, that the MOU will continue as it is, with staff oversight.

19. Presentation by the Mono Lake Committee-State of the Lake 2002

Jeff McColkin, Co-Executive Director of the Mono Lake Committee gave the presentation. An update of key indicators of the lake's health were provided as follows:

- Lake levels
- Number of toxic dust storms
- Restoration work

Mono Lake provides a mix of specialized habitat that serves a wide variety of bird species. Statistics were cited as follows:

- Of the 75 bird families found in North America, 55 are represented at Mono Lake.
- Of the 600 species indigenous to North America, 300-350 can be found at Mono Lake.

Habitat that was dried up due to decades of excessive water diversion has changed dramatically. Wetlands, marshes and streams are returning and as a result, critical food sources for the birds are available. Increased public interest can be seen in the number of people attending bird walks and birding seminars and the first ever Bird Festival will be held this month. Continued restoration is the goal of the committee.

1. Executive Officer's Report (continued)

Mr. Singer updated the Board on the status of Molycorp's petition before the State Board.

20. CLOSED SESSION

Board members met in closed session on June 12, 2002 from 8:30 p.m. to 9:00 p.m. to discuss Item 20 (k), (l), (m), (n) and (o). Authority: Government Code Section 11126(a) and (e)

There being no further business to come before the Board, the meeting adjourned at 9:01 p.m.

Prepared by: _____ Adopted: October 9, 2002
Pam Walker, Administrative Officer